

21 March 1958

MEMORANDUM FOR: The Director of Central Intelligence

SUBJECT: Revision of Paragraph 17 of NSC-1

1. Five proposals have now been made for added language to the present paragraph 17 of NSC-1, viz.:

a. As first proposed to the IAC following the NSC action -- primarily a direct quotation from that action:

"The Director of Central Intelligence is authorized to direct the Heads of the intelligence agencies, when appropriate, to investigate any apparent unauthorized disclosures of intelligence sources or methods and to report to him thereon."

b. As tentatively recorded in the IAC meeting last Tuesday:

"The Director of Central Intelligence is authorized to direct the Heads of the intelligence agencies, when appropriate, to request the initiation through suitable channels of an investigation of any apparent unauthorized disclosure of intelligence sources or methods and to report thereon."

c. As you and I discussed on Wednesday -- with the additional limiting words, "within their department or agency" which the FBI has since requested:

"The Director of Central Intelligence [(pursuant to this NSC action) or (acting on behalf of the NSC)] is authorized to request, when appropriate, the departments and agencies concerned to investigate within their department or agency any apparent unauthorized disclosure of intelligence sources or methods and to report thereon."

d. As General Cabell now believes it should be recorded:

"The Director of Central Intelligence is authorized to direct, when appropriate, the departments and agencies concerned to investigate any apparent unauthorized disclosure of intelligence sources or methods and to report thereon."

General Cabell's language is intended to cover three principal points:

(1) You would be authorized "to direct" rather than "to request" an investigation -- in line with the President's insistence on forceful directive language.

(2) Conducting the investigation would be the responsibility of "the departments and agencies concerned" rather than of "the heads of intelligence agencies, who have no authority to initiate investigations. (This point is unchanged from the language of c, above, which you and I have discussed.)

(3) This language is general enough to permit you to ask the FBI to coordinate the separate investigations of the various departments and agencies -- which the FBI's proposed language is intended to preclude. In General Cabell's judgment, if you do not have the authority to ask the FBI to do this, then you would be left in the position of having to coordinate the investigations yourself, which you are in much poorer position to undertake than is the FBI.

c. In addition to the above point raised by the SAC action, the Hall Board has had a rather different point in mind, which General Hall has since discussed with me. Actually, the Hall Board's comments on this item read as follows:

"With regard to Par. 17 the Board is increasingly concerned with the repeated serious leaks of intelligence recently brought to its attention. To insure that such disclosures do not continue to occur, the Board believes that better control of sensitive material could be achieved if the responsibility for the protection of intelligence sources and methods from unauthorized disclosure together with the authority to discharge this responsibility were fixed somewhat more explicitly than they now appear to be in this paragraph or in the present HSCIB 11."

The part of this recommendation not covered by the SAC action is the Board's desire to more clearly fix responsibility for the protection of intelligence sources and methods. The point can be covered by adding an additional sentence after the present words of Par. 17 and before the new "directing" sentence referred to above, viz.:

"Each department and agency shall be responsible for the protection of intelligence sources and methods within its own area of responsibility."

4. You may wish to ask General Cutler's opinion on these suggested changes, by telephone. We should send the IAC members a fair copy of the proposed new text as soon as practicable.

L. A. TREBONIT, JR.
General, USA (Ret.)
Deputy Director (Coordination)

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